

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NO. CR18-5579 RBL

**PROTECTIVE ORDER**

(1) CARLOS EDUARDO LOPEZ  
HERNANDEZ,  
(2) DANIEL OSVALDO ROCHA LOPEZ,  
(3) JAIME HEREDIA CASTRO,  
(4) JUAN AVILES BERRELLEZA,  
(5) EDGAR CABRERA,  
(6) OTHON ALONSO VEA CERVANTES  
(formerly charged under the name  
"Carlos Alejandro Castro Perez"),  
(7) CESAR LOYA SOTO,  
(8) MANUEL LOYA SOTO,  
(9) JULIAN GAUGE ORDONEZ,  
(10) JOSE LUIS SIERRA BARRIENTOS,  
(11) HECTOR MANUEL URIAS  
MORENO,  
(12) JORGE VALENZUELA ARMENTA,  
(13) URIEL ZELAYA,  
(14) ARTURO FRIAS CEBALLOS,  
(15) JUAN JOSE HIGUERA GONZALEZ,  
(16) JESUS RENE SARMIENTO  
VALENZUELA,  
(17) ALEK JAMES BAUMGARTNER,  
(18) MONIQUE GREEN,  
(19) ANDREW CAIN KRISTOVICH,  
(20) BRIAN LIVELY,

(21) JOSE RANGEL ORTEGA,  
(22) GERALD KEITH RIGGINS,  
(23) ESTHER LA RENA SCOTT,  
(24) MICHAEL JOHN SCOTT,  
(25) KAREN SURYAN,  
(26) ORLANDO BARAJAS,  
(27) OSCAR HUMBERTO CARRILLO  
SALCEDO,  
(28) MARTIN GONZALEZ JIMENEZ,  
(29) HECTOR MARIO JACOBO  
CHAIRES,  
(30) JESUS ALFONSO MORA  
QUINONEZ,  
(31) RAMON PUENTES, and  
(32) GREGORY DAVID WERBER,

Defendants,

This matter comes before the Court on the United States' Second Motion for a Protective Order regarding discovery materials, as permitted by Fed. R. Crim. P. 16(d). Having considered the record and files herein, the Court finds there is good cause to grant the motion, and hence:

IT IS HEREBY ORDERED that the voice recordings, surveillance pictures, video surveillance, and any other photographs or videos that might reveal the identity of the confidential source (the "Protected Material") shall be marked specially as "Produced Subject to a Protective Order," when produced to counsel for the defendants in this case.

IT IS FURTHER ORDERED that possession of Protected Material is limited to the attorneys of record in this case, and to any investigators, expert witnesses, and other agents the attorneys of record hire in connection with this case (collectively referred to as "the defense team"). The defense team may review Protected Material with the defendants, and the defendants may inspect and review Protected Material with the

1 defense team, but shall not be allowed otherwise to possess, photograph, or record  
2 Protected Material.

3 IT IS FURTHER ORDERED that defense counsel shall not provide Protected  
4 Material to any other person outside his/her law office, including the defendants. A copy  
5 of the Protected Material shall not be sent to any defendant at the Federal Detention  
6 Center, in either electronic form or hard copy.

7 IT IS HEREBY FURTHER ORDERED that the defendant, defense counsel, and  
8 others to whom disclosure of the content of the Protected Material may be necessary to  
9 assist with the preparation of the defense, shall not disclose the Protected Material or its  
10 contents, other than as necessary for the preparation of defenses at trial and in subsequent  
11 appellate proceedings, if necessary.

12 IT IS FURTHER ORDERED that if defense counsel finds it necessary to file any  
13 documents marked as "Produced Subject to a Protective Order," the material shall be  
14 filed under seal with the Court.

15 Nothing in this Protective Order prohibits defense counsel from showing the  
16 Protected Material, or reviewing its contents, with the defendant or with others to whom  
17 disclosure may be necessary to assist with the preparation of the defense at trial and in  
18 subsequent appellate proceedings, if necessary.

19 Nothing in this Protective Order prohibits defense counsel from disputing the  
20 designation of material as Protected Material and, if agreement cannot be reached  
21 between the parties, to seeking a determination by this Court.

22 At the conclusion of the case, including any appellate proceedings, the Protective  
23 Material shall be returned to the United States, or destroyed, or otherwise stored in a

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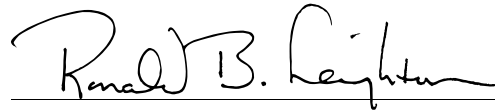
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1 manner to ensure that it is not subsequently duplicated or disseminated in violation of this  
2 Protective Order.

3 DATED this 24th day of January, 2019.  
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7 Ronald B. Leighton  
8 United States District Judge

9 Presented by:

10 s/Marci L. Ellsworth

11 MARCI L. ELLSWORTH

12 Assistant United States Attorney  
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